

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

|                    |   |                                   |
|--------------------|---|-----------------------------------|
| DORIS TUCKER,      | ) |                                   |
|                    | ) |                                   |
| Plaintiff,         | ) |                                   |
|                    | ) | Civil Action No. 1:08cv1018 (JFK) |
| v.                 | ) |                                   |
|                    | ) |                                   |
|                    | ) |                                   |
| MERCK & CO., INC., | ) |                                   |
|                    | ) |                                   |
| Defendant.         | ) |                                   |

**NOTICE OF VOLUNTARY DISMISSAL**

Comes now, Plaintiff, by and through undersigned counsel, and pursuant to Federal Rules of Civil Procedure 41 (a)(1)(i) hereby voluntarily dismisses, without prejudice, the above captioned action against Merck & Co. Inc.

Plaintiff represents that she has not and will not receive any payment, direct or indirect, in connection with dismissal of this action.

Dated: May 12, 2008

THE MILLER FIRM, LLC

/s/ Michael J. Miller  
\_\_\_\_\_  
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Counsel for Plaintiff

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 12<sup>th</sup> day of May, 2008, a copy of the foregoing Notice of Voluntary Dismissal was filed electronically with the Clerk of Court using the CM/ECF system, which will then send a notice of such filing to the following:

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| Plaintiff,         | ) |                                   |
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| v.                 | ) |                                   |
|                    | ) |                                   |
|                    | ) |                                   |
| MERCK & CO., INC., | ) |                                   |
|                    | ) |                                   |
| Defendant.         | ) |                                   |

**ORDER**

It is hereby ORDERED that the above captioned action is dismissed, without prejudice.

ENTERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008.